

A. G. Contract No.KR910066TRD
ECS File: JPA 91-04
Project: N-900-935/H0954 01C
Section: Yuma Quartermaster Depot

INTERAGENCY AGREEMENT
BETWEEN
THE ARIZONA DEPARTMENT OF TRANSPORTATION
AND
THE ARIZONA STATE PARKS BOARD

THIS AGREEMENT is entered into 29 March, 1990, pursuant to Arizona Revised Statutes, Sections 11-951 through 11-954, as amended, between the STATE OF ARIZONA, acting by and through its DEPARTMENT OF TRANSPORTATION (the "ADOT") and THE ARIZONA STATE PARKS BOARD, acting by and through its Executive Director (the "Parks Board").

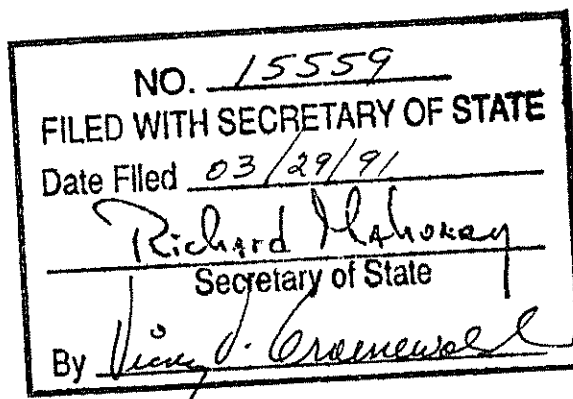
I. RECITALS

1. The ADOT is empowered by Arizona Revised Statutes Section 28-108 to enter into this agreement and has by resolution, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has delegated to the undersigned the authority to execute this agreement on behalf of the ADOT.

2. The Parks Board is empowered by Arizona Revised Statutes Section 41-511.05 to enter into this agreement and has by resolution No. 81, a copy of which is attached hereto and made a part hereof, resolved to enter into this agreement and has authorized the undersigned to execute this agreement on behalf of the Parks Board.

3. The ADOT and the Parks Board desire to construct improvements to Yuma Quartermaster Depot State Park, including new left and right turn lanes from SR-B8 (4th Avenue), a new park entrance road, and improvements to park interior roads, estimated at \$1,050,000, all at ADOT expense, hereinafter referred to as the Project.

THEREFORE, in consideration of the mutual agreements expressed herein, it is agreed as follows:



II. SCOPE OF WORK

1. According to ADOT standards and specifications, and at its own cost, ADOT shall design, call for bids and award one or more construction contracts for the Project, administer same and make all payments to the contractor. ADOT shall be responsible for any contractor claims for extra compensation.

a. The improvements include, but are not limited to, constructing new left and right turn lanes on State Route Business 8 (4th Avenue); a new park entrance road; and improvements to park interior roads.

b. The estimated cost of these improvements is \$1,050,000.

2. ADOT may acquire in the name of the Parks Board additional rights of way as may be required for the Project, and, the Parks Board hereby authorizes ADOT to condemn rights of way in the name of the Parks Board, as necessary to accomplish said acquisition(s). The Parks Board shall accept any right of way for the Project acquired by ADOT as part of the State Parks system.

3. The Parks Board shall provide information to support the development and construction of the Project and necessary permits allowing for the contemplated construction.

4. Maintenance and operation of the Project shall be the sole responsibility of the Parks Board.

III. MISCELLANEOUS PROVISIONS

1. This agreement shall remain in force and effect until completion of said Project; provided, however, that this agreement, except any provisions herein for maintenance, which shall be perpetual, may be cancelled at any time prior to the award of a construction contract, upon thirty (30) days written notice to the other party.

2. This agreement shall become effective upon filing with the Secretary of State.

3. This agreement may be cancelled in accordance with Arizona Revised Statutes Section 38-511.

4. The provisions of Arizona Revised Statutes Section 35-214 are applicable to this contract.

5. In the event of any controversy which may arise out of this agreement, the parties hereto agree to abide by required arbitration as is set forth for public works contracts in Arizona Revised Statutes Section 12-1518 (B) and (C).

6. All notices or demands upon any party to this agreement shall be in writing and shall be delivered in person or sent by mail addressed as follows:


Arizona Department of Transportation
Joint Project Administration
205 South 17 Avenue, Room 222E
Phoenix, AZ 85007

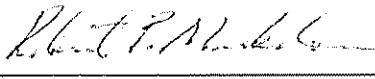
Arizona State Parks Board
Facilities Planning and Development Manager
800 West Washington Street Suite 415
Phoenix, AZ 85007

IN WITNESS WHEREOF, the parties have executed this agreement the day and year first above written.

STATE OF ARIZONA
State Parks Board

STATE OF ARIZONA
Department of Transportation

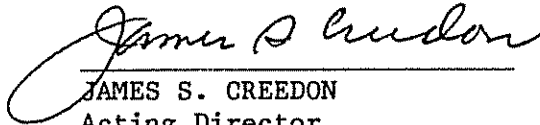
By 
Director
Title

By 
ROBERT P. MICKELSON
Deputy State Engineer

RESOLUTION

BE IT RESOLVED on this 14th day of January 1991, that I, JAMES S. CREEDON, as Acting Director of the Arizona Department of Transportation, have determined that it is in the best interests of the State of Arizona that the Department of Transportation, acting by and through the Highways Division, to enter into an agreement with Arizona State Parks Board for the purpose of defining responsibilities for the design and construction of improvements to Yuma Quartermaster Depot State Park.

Therefore, authorization is hereby granted to draft said agreements which, upon completion, shall be submitted for approval and execution by the Deputy State Engineer.



JAMES S. CREEDON
Acting Director
Arizona Department of
Transportation

Joni Bosh, Secretary for the Arizona State Parks Board, 800 W. Washington, Phoenix, Arizona 85007, presented the following Resolution and moved its adoption:

RESOLUTION NO. 81
By the Arizona State Parks Board
Authorizing the Execution of the Intergovernmental
Agreement with the
Department of Transportation

Under powers granted to the Arizona State Parks Board by ARS 41-511.05, BE IT RESOLVED on this 17th day of July, 1987, that THE ARIZONA STATE PARKS BOARD determines it is in the best interest of the State of Arizona to enter into an Interagency Agreement with the ARIZONA DEPARTMENT OF TRANSPORTATION wherein the ARIZONA DEPARTMENT OF TRANSPORTATION will improve various areas within Quartermaster Depot, a unit of the Yuma Territorial Prison State Historic Park, including, but not limited to, drainage easements, construction easements, road rights-of-way, and the acquisition of such lands in the name of the Parks Board where necessary to accomplish such improvements. The Board designates as public highways the roads, spurs, and other traffic related appurtenances within the Quartermaster Depot for the purpose of constructing park related improvements under the Interagency Agreement, Project N-900-935.*

THEREFORE, authorization is hereby given to The Arizona State Parks Board Executive Director, or his designee, to sign said Agreement which, upon completion, shall be submitted for approval and execution by the State Engineer.

After general discussion, the motion to adopt said resolution was seconded by M. Jean Hassell and was unanimously carried by the members present, as follows:

Elizabeth A. Drake
Duane Miller
M. Jean Hassell
Joni Bosh
Reese G. Woodling
William Roe

Thereupon, Duane Miller, Vice Chairman of the Arizona State Parks Board, declared that the Resolution had been adopted.

Attest: On July 17, 1987, the aforementioned Resolution was passed and adopted by the Arizona State Parks Board in Regular Session.

* Project Number changed from VLT-900-935 to N-900-935 per ADOT request.

Joni Bosh
Joni Bosh, Secretary

Joni Bosh 7/21/90
Joni Bosh, Chairman Date



Attorney General

1275 WEST WASHINGTON

Phoenix, Arizona 85007

~~XXXXXXXXXXXX~~
Grant Woods

INTERGOVERNMENTAL AGREEMENT

DETERMINATION

A. G. Contract No. KR910066TRD, an agreement between public agencies, has been reviewed pursuant to A.R.S. § 11-952, as amended, by the undersigned Assistant Attorney General who has determined that it is in the proper form and is within the powers and authority granted to the State of Arizona.

No opinion is expressed as to the authority of the remaining parties, other than the State or its agencies, to enter into said agreement.

DATED this 25th day of March, 1991

GRANT WOODS
Attorney General

James R. Redpath
Assistant Attorney General
Transportation Division